

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

Case No. 1:10-CR-00249

v.

ORDER ON MOTION FOR  
SENTENCE REDUCTION UNDER  
18 U.S.C. § 3582(c)(1)(A)

REYNARD VIRGIL ROBINSON, JR.

(COMPASSIONATE RELEASE)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons for a reduction in sentence under 18 U.S.C. § 3582(c)(1)(A), and after considering the applicable factors provided in 18 U.S.C. § 3553(a) and the applicable policy statements issued by the Sentencing Commission,

IT IS ORDERED that the motion is:

☐ GRANTED

☐ The defendant's previously imposed sentence of imprisonment of \_\_\_\_\_ is reduced to \_\_\_\_\_. If this sentence is less than the amount of time the defendant already served, the sentence is reduced to a time served; or

☐ Time served.

If the defendant's sentence is reduced to time served:

☐ This order is stayed for up to fourteen days, for the verification of the defendant's residence and/or establishment of a release plan, to make appropriate travel arrangements, and to ensure the defendant's safe release. The defendant shall be released as soon as a residence is verified, a release plan is established, appropriate travel arrangements are made,

and it is safe for the defendant to travel. There shall be no delay in ensuring travel arrangements are made. If more than fourteen days are needed to make appropriate travel arrangements and ensure the defendant's safe release, the parties shall immediately notify the court and show cause why the stay should be extended; or

- ☐ There being a verified residence and an appropriate release plan in place, this order is stayed for up to fourteen days to make appropriate travel arrangements and to ensure the defendant's safe release. The defendant shall be released as soon as appropriate travel arrangements are made and it is safe for the defendant to travel. There shall be no delay in ensuring travel arrangements are made. If more than fourteen days are needed to make appropriate travel arrangements and ensure the defendant's safe release, then the parties shall immediately notify the court and show cause why the stay should be extended.

- ☐ The defendant must provide the complete address where the defendant will reside upon release to the probation office in the district where they will be released because it was not included in the motion for sentence reduction.

- ☐ Under 18 U.S.C. § 3582(c)(1)(A), the defendant is ordered to serve a "special term" of ☐ probation or ☐ supervised release of \_\_\_\_ months (not to exceed the unserved portion of the original term of imprisonment).

- ☐ The defendant's previously imposed conditions of supervised release apply to the "special term" of supervision; or

☐ The conditions of the “special term” of supervision are as follows:

☐ The defendant’s previously imposed conditions of supervised release are unchanged.

☐ The defendant’s previously imposed conditions of supervised release are modified as follows:

☐ DEFERRED pending supplemental briefing and/or a hearing. The court DIRECTS the United States Attorney to file a response on or before \_\_\_\_\_, along with all Bureau of Prisons records (medical, institutional, administrative) relevant to this motion.

☒ DENIED after complete review of the motion on the merits.

☒ FACTORS CONSIDERED (Optional)

Similar to Defendant's six prior motions for compassionate release which the court denied on substantive or failure to exhaust grounds, Defendant has not established extraordinary and compelling reasons for compassionate release in his current motion, Doc. 82. Although Defendant presents slightly different facts, his reasons for requesting compassionate release are quite similar to past requests. Defendant is generally concerned that he will contract COVID-19, but a general fear of contracting COVID-19 is not considered an extraordinary and compelling reason for compassionate release. He further argues that the constant COVID-19 lock-downs and "grubby living conditions" support compassionate release.

Additionally, Defendant asserts that he needs to care for his mother, who has lupus, as she needs a daily caregiver following the untimely passing of her husband in November 2021. Defendant reiterates that his fiancée/wife and the mother of his two children needs assistance with raising the children while also working full time. Again, all of these considerations even taken together, do not present extraordinary and compelling reasons for compassionate release.

Further, even if Defendant were able show extraordinary and compelling reasons for compassionate release, the Section 3553(a) factors in this case militate strongly against a sentence reduction. Defendant has served approximately 144 months out of his 216 month sentence. The 216 month sentence already reflects a Rule 11(c)(1)(C) agreement whereby the parties agreed to a sentence of 18 years, rather than a potential guideline sentence of 262 to 327 months as a career offender. While Defendant has clearly made strides in educating and rehabilitating himself during his incarceration, his long criminal history, the seriousness of the conduct in this case (possession of a firearm in furtherance of drug trafficking), and the already reduced agreed-upon sentence weighs against Defendant. Thus, the court finds that the goals of sentencing - specifically, reflecting the seriousness of the offense, providing just punishment, affording adequate deterrence, and protecting the public - require that Defendant's sentence remain intact.

☐ DENIED WITHOUT PREJUDICE because the defendant has not exhausted all administrative remedies as required in 18 U.S.C. § 3582(c)(1)(A), nor have 30 days lapsed since receipt of the defendant's request by the warden of the defendant's facility.

**IT IS SO ORDERED.**

Dated: July 6, 2022

s/Jennifer P. Wilson

Jennifer P. Wilson  
United States District Judge  
Middle District of Pennsylvania